



IN THE UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

United States of America

V.

Robert Updegrove,

Defendant

Criminal No. 1:07CR434

Sentencing 1/25/08
Judge Ellis

POSITION OF DEFENDANT WITH RESPECT TO SENTENCING FACTORS

Comes now the defendant, Robert Updegrove, by counsel, and represents that the defendant has reviewed the probation officer's Presentence Investigation Report, as well as the addendum to this report, and that he does not dispute any of the facts or factors set out in those documents.

Respectfully submitted,
ROBERT UPDEGROVE
By Counsel

Robert E.
Battle, P.C.
Richmond, VA

Robert E. Battle, Counsel for Defendant
1506 Willow Lawn Drive, Suite 212
Richmond, VA 23230
(804) 673-5600

Certificate of Service

I hereby certify that a copy of this document was:
Mailed this 3RD day of January, 2008, to

Gerald Smagala
Assistant United States Attorney
2100 Jamieson Avenue
Alexandria, VA 22314

Mailed this 13th day of January, 2008, to
Mary Beth Simpson
U.S. Probation Office
Third Floor
401 Courthouse Square
Alexandria, VA 22314



Robert E. Battle

Robert E.
Battle, P.C.
Richmond, VA